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UNCLAS WELLINGTON 000784

SIPDIS

STATE FOR IO/T-JANE COWLEY AND EAP/ANP-THOMAS RAMSEY

E.O. 12356: N/A

TAGS: [SCUL](#) [ETRD](#) [NZ](#) [UNESCO](#)

SUBJECT: NEW ZEALAND'S VIEWS ON UNESCO CULTURAL DIVERSITY CONVENTION

REF: STATE 193533

1. Seeking New Zealand's support for U.S. positions on a UNESCO convention on cultural diversity, post on September 10 delivered the reftel demarche to Jane Kominik of the Ministry of Culture and Heritage and to Charlotte Frater of the Ministry of Foreign Affairs and Trade's United Nations and Commonwealth Division.

2. Kominik, who will lead New Zealand's delegation to the UNESCO intergovernmental meeting September 20-25 in Paris, reported September 13 that her government agrees with the basic premise of the draft convention produced by UNESCO. She emphasized, nonetheless, that her government has a number of concerns about the convention in its current form, in particular its potential impact on New Zealand's existing obligations under trade agreements and other international treaties. Kominik said Option B of Article 19 would be the only version that her government could entertain, because it might allow New Zealand both to comply with the convention and to meet its trade, human rights, intellectual property rights and other international treaty obligations. Otherwise, New Zealand could not comply with the convention as currently drafted.

3. Kominik noted that her government also found the draft's definitions to be extraordinarily broad and imprecise, in view of the document's being legally binding. The bureaucracy envisioned by the convention should be streamlined, including the elimination of a Cultural Diversity Observatory (whose proposed functions are performed by the Secretariat).

4. She said that New Zealand's Minister of Culture is keen to promote cultural diversity and that the delegation would attend the intergovernmental meeting in a constructive mood. It would aim to work through the text to make it one that the delegation could accept.

5. Besides Kominik, the New Zealand delegation's other members will be Shannon Ward, legal adviser in the Ministry of Foreign Affairs and Trade's Legal Division, and New Zealand's permanent representative to UNESCO, Linda Te Puni, when she is available.

Swindells